



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9083 OF 2024
IN WP/12850/2023

SHYAM PURUSHOTTAM SOLANKE
VERSUS
STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

Mr. V. S. Deshmukh, Advocate for the applicant
Mrs. P. J. Bharad, AGP for the respondent/State
Mr. Ajinkya Reddy, Advocate for respondent no.4
Mr. Abhijeet Choudhari h/f Mr. D. J. Patil, Advocate for respondent nos. 6
and 7
Mr. S. P. Sonawane h/f Mr. S. S. Thombre, Advocate for respondent nos.5
in writ petition.

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 23.08.2024

PER COURT :

Heard.

2. The petitioners had filed the petition since their admission to the B. Pharmacy against a reserved seats were being cancelled for want of certificates of validity of the respective categories. By the ad-interim relief granted by the order dated 23.10.2023, in the light of the specific stipulation in the revised admission notice issued by the Commissioner

and Competent Authority, State Common Entrance Test Cell, Maharashtra State, Mumbai dated 18.01.2021.

3. Since thereafter from time to time some or the other of the petitioners except the present applicant were allowed to fill up the examination forms for the backlog subjects. By way of this application, the present applicant who is one of the petitioners is seeking a direction to the respondent for declaring the result of his performance at 7th and 8th semesters of B. Pharmacy course and further seeking direction against them for accepting the examination form, revaluation form of the backlog subjects.

4. Learned Advocate Mr. Reddy for respondent no.4 strongly opposes the request.

5. Considering the fact that the petitioners apparently could almost complete the B. Pharmacy course by way of interim order passed in peculiar facts and circumstances, it is expected that the petitioners would press for final disposal of the writ petition. Instead they have been able to continue with the course and are on the verge of completing it.

6. Though the present applicant cannot be treated differently than the treatment given to the other petitioners and he is entitled to

have the result and can expect the respondents to accept his examination form and revaluation form so as to enable him to appear for clearing the backlog subjects, the petition itself will have to be heard finally.

7. Since it is being pointed out that by now all the petitioners possess certificates of validity of their respective caste/tribe, let Mr. Reddy for respondent no.4 take instructions as regards approval to the admissions of the petitioners.

8. We allow the application as prayed for however, subject to the condition that the main petition is heard finally on the next date.

9. Stand over to 13.09.2024 at 2.30 p.m.

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)

SSP